

The Morehead City Board of Adjustment conducted a regular monthly meeting on Thursday, November 20, 2008, in the Municipal Building Auditorium, 202 South Eighth Street, which started at 5:30 p.m. The following were present:

MEMBERS: Chairman James Walker
Holly Briggs, Laura Drewyor, Dick Gambill, Tripp Mudge, Dave Robertson, and Bill Ward

ABSENT: Joe Green and Beth Taylor

OTHERS PRESENT: Planning Director Linda Staab, Zoning Enforcement Officer Joyce Veltman, Secretary Jeannie Vaughan, City Attorney Derek Taylor, Mike Shutak of the Carteret News-Times, Jennifer Stallings of the Gam, Derek and Aren Waller, Joan Cantor, Julie Doshier, and many South Banks Community Church Members.

Chairman James Walker called the meeting to order and gave the invocation.

The roll was called and Bill Ward made **MOTION**, seconded by Dick Gambill, to excuse the called-in absences (Joe Green and Beth Taylor). The motion carried unanimously.

MINUTES: *October 23, 2008*

Chairman James Walker called for changes or amendments to the minutes. Holly Briggs made **MOTION**, seconded by Bill Ward, to adopt the minutes as submitted and dispense with the reading. The motion carried unanimously.

BUSINESS:

A. Request submitted by South Banks Community Church for a special-use permit under Article 11 of the Unified Development Ordinance (UDO) to allow a church at 5458 Highway 70 which is zoned CH (Commercial Highway District).

Laura Drewyor made **MOTION**, seconded by Holly Briggs, to open the public hearing. The motion carried unanimously. Dick Gambill and Dave Robertson were excused from voting on this case as only five members were needed.

Those wishing to give testimony were sworn in (Joyce Veltman and Joan Cantor).

Zoning Enforcement Officer Joyce Veltman introduced the request. Slides were shown depicting the location of the property which is zoned CH (Commercial Highway) and is surrounded by CH to the south and east, CH-CU (Commercial Highway Conditional-Use) to the west, and R20 (Residential Single-Family) to the north. The property has an existing building currently occupied by PHD Furniture. The property to the east is a commercial strip center, to the south is Country Aire Rental, to the west is a vacant field with an off-premise sign, and to the north is a single-family dwelling subdivision. A site plan depicting the general layout of the building and parking area was shown. There is parking availability shown on the front, side and rear and the applicant has indicated that the owner of the strip center to the east has given permission for overflow parking on that property. This should work as the shops will be closed for the most part when church services are being held. The property has three access points, one from Highway 70 and two from Wildwood Road.

Ms. Veltman addressed the special-use criteria: A written application was received. The request will not adversely affect general plans of the Town as this is an existing building. The Unified Development Ordinance allows churches in the Commercial Highway District with a special-use permit. The proposed use is on a lot of sufficient size to satisfy the space requirements of said use and does meet the development standards. Parking requirements are one space per six seats in the sanctuary. The church congregation currently numbers 96, which requires 16 spaces. There is adequate space for parking on site. The standards set forth for each particular use for which a permit may be granted have

been met. The proposed use shall be subject to the minimum area, setback, and other locational requirements of the zoning district in which it will be located. The proposed use shall be subject to the off-street parking and service requirements of these regulations. Standards have been met with this existing building as referenced on the site plan. If the special-use request is approved, the applicant must return bi-annually to the Board to verify continued compliance with zoning requirements.

The hearing has been advertised, and notices were mailed to property owners within one hundred (100) feet to notify them of the request.

Ms. Cantor, the applicant, spoke in favor of the request and addressed the special-use criteria: 1) the proposed use will not adversely affect the health and safety of residents or workers in the town; 2) the proposed use will not be detrimental to the use or development of adjacent properties or other neighborhood uses; 3) the proposed use will not be adversely affected by the existing uses because there are different times of operation; and 4) the proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, of the vehicular movement, or noise or fumes or of the type of physical activity. Ms. Cantor testified that the owner of the strip center to the east has given written permission for overflow parking on that property.

No one spoke in opposition to the request.

Bill Ward made **MOTION**, seconded by Laura Drewyor, to close the public hearing. The motion carried unanimously.

CONSIDERATION AND DETERMINATION OF CASE HEARD:

Tripp Mudge made **MOTION**, seconded by Bill Ward, to grant the special-use permit. The motion carried unanimously.

NEW BUSINESS:

A. Shirt Orders -

The Board was reminded that shirt orders will be submitted to Boardwalk this week.

B. December 2008 BOA Meeting -

Holly Briggs made **MOTION**, seconded by Bill Ward, to cancel the December 2008 meeting. The motion carried unanimously. The next scheduled Board of Adjustment meeting will be January 22, 2009.

C. Christmas Luncheon -

The Christmas Luncheon for City Employees is scheduled for December 18th at 12 noon, at the Parks and Recreation Center, 1600 Fisher Street, and all Board Members were invited to attend.

D. Christmas Flotilla -

The Christmas Flotilla will begin on Saturday, December 6th at 5:30pm.

E. Christmas Parade -

The Morehead City Christmas Parade will be on Saturday, December 13th and will begin at 11:00am.

Laura Drewyor made **MOTION**, seconded by Holly Briggs, to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 5:50 p.m.

Jeannie Vaughan
Secretary